IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Crl.Rev.Pet.No. 1221 of 2007()

AGAINST THE ORDER DATED 01/03/2007 IN CMP.577/07 IN ST.2037/2004 of JUDL.MAGISTRATE OF FIRST CLASS, PARAVUR

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REVN. PETITIONER:

AJAYHOG B, ADVOCATE, M.D., PROFESSIONAL,
K.T.M COMPLEX, CHANGANASSERY, PIN: 686 101.

BY ADV. SRI.R.SUDHISH
SRI.VINOD SINGH CHERIYAN

RESPONDENTS:

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1. K.K. SAHADEVAN, KANDACHANTHARA,
   PALLOM P.O., KOTTAYAM.

2. THE STATE OF KERALA REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 20/03/2007, ALONG WITH CRL.R.P. NO. 1222/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NOS. 1221 & 1222 OF 2007

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Dated this the 20th day of March 2007

O R D E R

The revision petitioner is the accused who has sought for setting aside the orders of the courts below in C.M.P. Nos. 576/2007 and 577/2007 in ST. No. 2037/2004. The application filed for reopening the evidence for examining the accused as defence witness was dismissed. Evidently, it appeared to the court below that the revision petitioner/accused is attempting to protract the matter.

2. All the same, in the interest of a complete and final adjudication in the matter I find that the applications are to be allowed. The orders of the courts below are set aside. The court below is directed to reopen the evidence and to permit the petitioner to examine the accused as defence witness. The revision petitioner is directed to co-operate with the trial. The revision petitioner is directed to appear before Judicial First Class Magistrate, North Paravur on **10.04.2007.**

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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